

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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STEVEN MARSHALL,

Plaintiff,

v.

ORDER

ANTHONY J. ANNUCCI, et al.,

18-CV-06673 (PMH)

Defendants.

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PHILIP M. HALPERN, United States District Judge:

Counsel for all parties appeared today for a telephone conference. After hearing from the parties, the Court ruled on the discovery disputes raised in the letter dated December 20, 2021 (Doc. 111). For the reasons stated and as discussed on the record, the Court:

(1) directed defendants to review the production in response to Request No. 5 and re-designate to the extent they are plaintiff's own records;

(2) denied plaintiff's Request Nos. 10, 12-16, and 21-24, and denied without prejudice plaintiff's Request Nos. 34 and 36;

(3) with respect to Request No. 33, directed defendants to locate and produce any logs and/or lists to the extent they concern use of force for the years 2015 and 2016;

(4) with respect to Request No. 48, directed defendants to produce the Clinic Log Books for May 4, 6, 9, and 11, 2016;

(5) with respect to Request No. 60, directed the parties to meet and confer to resolve the designation issue under the parties' Stipulated Confidentiality Agreement and Protective Order (Doc. 110, the "Protective Order");

(6) with respect to Request No. 68, directed defendants to produce Directive 4910 following a meet and confer among counsel to resolve the manner of production under the Protective Order;

(7) with respect to Request No. 71, directed plaintiff to narrow the request to specific allegations in the complaint, and directed the parties to meet and confer to resolve the manner of production under the Protective Order;

(8) with respect to Request No. 75, directed defendants to search for this individual plaintiff and his DIN concerning the allegations in this complaint;

(9) with respect to the balance of plaintiff's requests identified in the letter-motion, to the extent that a search for responsive documents is complete and no such documents exist, directed defendants to serve a formal response so stating; and

(10) directed the parties to meet and confer concerning production of plaintiff's OMH records when plaintiff's counsel receives the file.

The Court extended the deadline to complete fact discovery to February 21, 2022. Expert and all discovery shall be completed by May 17, 2022. The next case management conference is scheduled for June 28, 2022 at 11:00 a.m. See transcript.

The Clerk of Court is respectfully requested to terminate the letter-motion (Doc. 111).

SO ORDERED.

Dated: White Plains, New York
December 21, 2021



Philip M. Halpern
United States District Judge